

PLANNING COMMISSION OF MONTEREY PARK AGENDA

**REGULAR MEETING
Monterey Park City Hall Council Chambers
320 West Newmark Avenue**

**Tuesday
September 11, 2018
7:00 PM**

MISSION STATEMENT

**The mission of the City of Monterey Park is to provide excellent services
to enhance the quality of life for our entire community.**

Documents related to an Agenda item are available to the public in the Community and Economic Development Department – Planning Division located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at www.montereypark.ca.gov.

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Board Chair and Board Members may change the amount of time allowed for speakers.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

CALL TO ORDER

Chairperson

FLAG SALUTE

Chairperson

ROLL CALL

Delario Robinson, Theresa Amador, Ricky Choi, Eric Brossy De Dios, and Margaret Leung

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS. While all comments are welcome, the Brown Act does not allow the Commission to take action on any item not on the agenda. The Commission may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the Commission's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

[1.] PRESENTATIONS - None

[2.] CONSENT CALENDAR

2-A. APPROVAL OF MINUTES

It is recommended that the Design Review Board:

- (1) Approve the minutes from the regular meetings of March 27, 2018, April 24, 2018, and July 10, 2018; and
- (2) Take such additional, related, action that may be desirable.

2-B EXEMPTIONS TO SETBACKS AND LOT COVERAGE PERCENTAGE AT THE MONTEREY PARK BRUGGEMEYER LIBRARY IN THE R-3 ZONE

It is recommended that the Planning Commission:

- (1) Approving and adopting the revised Resolution which recommends that the City Council that authorizes exemptions to the minimum setback requirements and the maximum lot coverage percentage to provide for the installation of two solar parking canopies/carports at the Monterey Park Bruggemeyer Library located in the R-3 Zone; and
- (2) Take such additional, related, action that may be desirable.

California Environmental Quality Act (CEQA):

The project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines § 15303 (e) (New Construction or Conversion of Small Structures). The Class 3 exemption applies to the construction and location of limited numbers of new, small facilities or structures – including carports. The project consists of the construction and location of two solar parking canopies/carports. The project will not impact an environmental resource of hazardous or critical concern because the proposed parking canopies/carports will be constructed over an existing parking lot area that currently serves an existing two-story public library and there are no hazardous or critical environmental resources located within the vicinity of the parking lot area. The project involves the installation of two solar parking canopies, the purposes of which are to provide clean energy and help reduce impacts on the environment; as such, the project will not have a significant, adverse or cumulative impact on the environment. The project will not have a significant effect on the environment due to any unusual circumstances because the proposed project is the construction of two solar canopies/carports over an existing parking lot area and the construction of canopies/carports as well as the installation of roof mount solar panels is common within the City. The project will not have significant adverse effects on resources within scenic highways because the project site is located a little less than a mile from the nearest highway, which is the Interstate 10 Freeway. The project will not create a hazard or hazardous material impact because the project is the construction of two solar canopies/carports, which will not create hazards or generate hazardous materials. The project will not result in an adverse impact to a historic resource because there are no historic resources identified within the vicinity of the project site. Staff reviewed the proposed project and did not find any evidence that special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15303.

[3.] PUBLIC HEARING - None

[4.] OLD BUSINESS - None

[5.] NEW BUSINESS - None

[6.] COMMISSION COMMUNICATIONS AND MATTERS

[7.] STAFF COMMUNICATIONS AND MATTERS

ADJOURN

Next regular scheduled meeting on September 25, 2018.

APPROVED BY:

MICHAEL A. HUNTLEY	
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Planning Commission Staff Report

DATE: September 11, 2018

AGENDA ITEM NO: 2-A

TO: Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
BY: Samantha Tewasart, Senior Planner
SUBJECT: Planning Commission Minutes

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Approve the minutes from the regular meeting of March 27, 2018, April 24, 2018, and July 10, 2018; and
- (2) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

None.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Huntley", is written over a horizontal line.

Michael A. Huntley
Community and Economic Development Director

Attachments:

- Attachment 1: March 27, 2018 Planning Commission regular meeting minutes
- Attachment 2: April 24, 2018 Planning Commission regular meeting minutes
- Attachment 3: July 10, 2018 Planning Commission regular meeting minutes

ATTACHMENT 1

March 27, 2018 Planning Commission regular meeting minutes

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
MARCH 27, 2018**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, March 27, 2018 at 7:00 p.m.

CALL TO ORDER:

Chairperson Larry Sullivan called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Larry Sullivan, Delario Robinson, Theresa Amador, Ricky Choi, and Eric Brossy De Dios

Board Members Absent: None

ALSO PRESENT: Natalie Karpeles, Deputy City Attorney, Michael A. Huntley, Director of Community and Economic Development, Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS: None

[1.] PRESENTATIONS: None

[2.] CONSENT CALENDAR: None

[3.] PUBLIC HEARING:

3-A TENTATIVE MAP NO. 78241 (TM-18-01) TO ALLOW FOR THE SUBDIVISION OF AIR-RIGHTS TO ESTABLISH AND MAINTAIN A 2-UNIT RESIDENTIAL CONDOMINIUM CONVERSION DEVELOPMENT IN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONE – 417 NORTH SIERRA VISTA AVENUE

Planner Tewasart provided a brief summary of the staff report.

Chairperson Sullivan opened the public hearing.

Chairperson Sullivan closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **continued** the requested tentative map for 772 Barnum Way to a date uncertain.

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Robinson, motion carried by the following vote:

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Ayes: Commissioners: Sullivan, Robinson, Amador, Choi, and Brossy de Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

**3-B CONDITIONAL USE PERMIT (CU-15-04) TO ALLOW FOR A HOSPITAL USE
WITH AN ANCILLARY HELIPORT IN THE O-P (OFFICE PROFESSIONAL) ZONE – 1977
SATURN STREET**

Planner Tewasart provided a brief summary of the staff report.

Chairperson Sullivan opened the public hearing.

Speaker Lucia Corona, 2020 Clover Drive, Monterey Park, stated that she lives behind the site. She stated that La Loma Park is right behind the facility, and there is already noise from the freeway and airplanes. She said it looks like the report is saying what is indicating, that more noise would not be much of an impact. However, it doesn't look like the noise report calculated the actual noise levels in that area. 1 flight per week for a short period of time, also used as a medical urgency, or as needed. In a sense, the project will increase noise and create a nuisance and interrupt our daily lives.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **continued** the requested conditional use permit for 1977 Saturn Street the regularly scheduled of March 13, 2018.

Motion: Moved, by Commissioner Robinson and seconded by Commissioner Brossy de Dios, motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, and Brossy de Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS:

Commissioner Choi requested that the Planning Commission consider expanding the public notification radius from 300 feet to 500 feet and increasing language access by a certified translator, similar to ballot mailings. He stated to provide a survey including cost.

[7.] STAFF COMMUNICATIONS AND MATTERS:

Director Huntley provided an update on projects.

ADJOURNMENT:

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There being no further business for consideration, the Planning Commission meeting was adjourned at 9:00 p.m.

Next regular scheduled meeting on March 13, 2018 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

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ATTACHMENT 2

April 24, 2018 Planning Commission regular meeting minutes

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
April 24, 2018**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, April 24, 2018 at 7:00 p.m.

CALL TO ORDER:

Chairperson Delario Robinson called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Larry Sullivan, Delario Robinson, Theresa Amador, Ricky Choi, and Eric Brossy De Dios

Board Members Absent: None

ALSO PRESENT: Natalie Karpeles, Deputy City Attorney, Michael A. Huntley, Director of Community and Economic Development, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS: None

[1.] PRESENTATIONS: None

[2.] CONSENT CALENDAR:

March 13, 2018 –

Action Taken: The Planning Commission approved the minutes of March 13, 2018 with amendments.

Motion: Moved by Commissioner Amador and seconded by Commissioner Choi, motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, Amador, Choi, and Brossy de Dios

Noes: Commissioners: None

Absent: Commissioners: None

Abstain: Commissioners: None

[3.] PUBLIC HEARING:

3-B GENERAL PLAN AMENDMENT (GPA-17-01), ZONE CHANGE (ZC-17-01), AND TENTATIVE MAP NO. 77195 (TM-17-10) TO SUBDIVIDE AIR RIGHTS FOR AN 8-UNIT RESIDENTIAL DEVELOPMENT – 2011 POTRERO GRANDE DRIVE

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Planner Tewasart provided a brief summary of the staff report.

Commissioner Brossy de Dios inquired about the ownership of the C-S (Commercial Services) zoned strip of land behind the subject parcel and Encanto Walk and the right-of-way. Planner Tewasart replied that it belongs to Southern California Edison and is part of the easement.

Commissioner Brossy de Dios inquired if the City has regulations regarding the proximity of residential units to power lines. Planner Tewasart replied no.

Commissioner Brossy de Dios inquired to what degree does the provisions of the Climate Action Plan has bearing on decisions made in terms of the requested General Plan Amendment. Director Huntley replied that since the adoption of the Climate Action Plan, the City has also adopted two additional cycles of the Building Code and that includes specific requirements from the state of California on building techniques, which do reduce some of the impacts to the climate. This case would be a multi-family residential development with substantially more landscaping than a commercial project would typically provide. Generally speaking, it would be less intensive and less impactful to the environment.

Commissioner Brossy de Dios inquired if the thought is that having 8 residences with potentially 16 to 20 cars parking on site would have a less intensive transportation impact from a climate greenhouse gas perspective. Director Huntley replied that typically with commercial development traffic is a lot higher throughout the day. With residential it is usually in the morning and evening times when people come and go from their residences, so generally speaking there would be fewer trips than with a commercial development, but it also depend on what type of commercial development. The current zoning would allow for a wide variety of commercial activities, including a drive-thru restaurant as an example would generate substantially more than a residential development would on this property.

Commissioner Brossy de Dios inquired from a public transit stand point if there are any plans related to the Climate Action Plan. Director Huntley replied that with the Monterey Park Market Place project, a short distance away, one of the conditions of approval requires the project to provide a bus stop on site. So currently the Public Works Department is looking at the routes, so the route would go down Potrero Grande wrap around and come through the eastern side and pick up patrons from the shopping center and come back up.

Commissioner Choi expressed reservations about considering a zone change, specifically changing a parcel from the commercial zone to a residential zone. He does not see Potrero Grande as a residential corridor. Commissioner Choi inquired about the Edison Focus Area and if it is a zoning overlay or special district. Planner Tewasart replied that it is a focus area in the General Plan Land Use Element and it generally describes the character of the area and types of uses that can be found in the area. The reason why it is titled the Edison Focus Area is because it recognizes that predominately many of the properties are owned by Edison. The Area focuses on any future potential Edison development and the consideration of consolidating properties for expanded office headquarters or more towers.

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The Focus Area also mentions the long-range plans for the Market Place Development as well.

Commissioner Choi stated that he sees it as an opportunity to revitalize that corner and once the Market Place is open, there is the potential for it to be more attractive and enhanced. There is not much at the intersection. It is an underutilized parcel.

Commissioner Amador stated that there are small businesses and storage on the other side of Encanto Walk and a senior housing development. Further towards the freeway are commercial buildings. She inquired aside from the Market Place and the smaller businesses if there is any available land for commercial development being that the Market Place will have the two big box stores and some chain restaurants that are fast food and not dine-in restaurants. She inquired if there are any other opportunities for smaller commercial developments. Planner Tewasart replied that staff has not observed any other properties that have been placed on the market within the vicinity.

Commissioner Amador inquired how the project would impact the school districts. Director Huntley replied that when Encanto Walk was processed a representative from the Montebello School District was present and spoke in favor of it. They were encouraging it because for the Montebello School District they have a slight decline in their student population, so they were very supportive of seeing the residential go in as a way to generate more revenue for the school district and help increase the student population. Commissioner Amador inquired if the students in that area would go to the Montebello School District. Director Huntley replied yes.

Commissioner Amador inquired which fire house the Fire Department would be coming from. Director Huntley replied from Fire Station 2 over on Garfield. Commissioner Amador inquired about the number of firefighters. Director Huntley replied that there is two staffed engines. This area also almost sits on the border between Monterey Park and Montebello and they have mutual aid. If our crew was called somewhere else, then Montebello would help backup or cover that. Also, all new construction, the fire requirement is stricter nowadays. All the units have fire sprinklers, automatic smoke detectors, and carbon monoxide detectors. The way the codes are today even if there was a fire it would take longer for a house to burn and the Fire Department should be able to respond.

Commissioner Robinson stated that this development is in his neck of woods. It would be a good addition to continue the residential use. Across Saturn are commercial uses and Market Place is coming and there will be a need for more housing. We have to develop and go along with the growth of the city.

Chairperson Sullivan inquired how long the applicant has owned the property. Director Huntley replied that the applicant can respond to the question. Chairperson Sullivan expressed concerns about changing another commercial property into a residential property. He inquired about the waterline. Director Huntley replied that there is a split between the city and the Water Company. Chairperson Sullivan inquired about the location of the city boundary line. Director Huntley replied that the boundary line for both cities run down the center of the street. Chairperson Sullivan inquired who takes responsibilities for

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construction work. Director Huntley replied that there is a condition of approval that requires the applicant to provide street maintenance for anything that is damaged, just like the Olson project. Chairperson Sullivan inquired who finances the construction on the street. Director Huntley replied that the work is inspected by the city. Chairperson Sullivan inquired about the age of pipeline at the center of the street. Director Huntley replied that a lot of the line has been upgraded. There have been many improvements since there are a lot of activities and projects on Potrero today, so most of the lines have been upgraded within the last two to three years. Chairperson Sullivan inquired if it was financed by the City. Director Huntley replied this part no, other parts yes.

Chairperson Sullivan expressed concerns about the City's ability to supply fire and police. He stated that there is one engine and one ambulance. There are three staff persons, a captain, engineer, and fire fighter. Chairperson Sullivan inquired if the City is trying to do something with some of the vacant properties around the project site. Director Huntley replied that the vacant site are owned Southern California Edison, so there is not much else out there that is available today. The only ability is as the Market Place moves forward the City is hoping that some of the less performing centers will be able to pick up some tenants and be more successful. There is not much for the City to do because the vacant properties are owned by Edison.

Chairperson Sullivan opened the public hearing.

Applicant, Eric Everheart of Enterprise Inc., provided a brief presentation of the project. He stated that they would want Southern California Edison to sell them some parcels, but that is not going to happen. Enterprise One is a developer of not just residential, but commercial and industrial as well. The obvious go-to to not take anything to City Council is to keep with the current zoning, but that is not what this property wants to be. It is almost as if this property is a remnant parcel to the adjacent development and it just flows to where you would bring residential to this parcel. It is not something that was taken lightly in the design of the parcel. They could have designed more units, but they are about livability and people owning new homes.

Commissioner Brossy de Dios inquired about the property line to the nearest Edison tower. Applicant Everheart replied that they are further away than they are tall. Commissioner Brossy de Dios inquired about the access from Potrero Grande Drive and current lane configuration and how the driveway relates to traffic in both directions. Applicant Everheart replied that the project will not be a gated community, so an extra deceleration lane will not be needed to turn into it. Commissioner Brossy de Dios inquired if there is a middle lane. Applicant Everheart replied yes.

Commissioner Choi inquired about other residential projects that Enterprise One has worked on in the area or outside of the area. Applicant Everheart replied that they have developments in Nevada, Arizona, and several in Colorado. They have been focused primarily on industrial and commercial. They are looking at development all the time and residential is becoming a bigger part of their business plan. Commissioner Choi inquired if this is their first residential development. Applicant Everheart replied not at all. This is the only residential opportunity that they have going on right now in California. Commissioner

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Choi inquired where the completed residential developments are. Applicant Everheart replied Nevada and Arizona.

Commissioner Amador inquired about the distance between a tower and a unit. Applicant Everheart stated that he would speculate 150 feet, two football fields. Commissioner Amador stated that it could be within walking distance if someone wanted to go for a walk. Applicant Everheart replied that there will be a 6-foot tall perimeter fence around the property. They will not have access.

Commissioner Robinson stated that for the past 20 years that property has been vacant and the Commission should not be short sighted. If an additional fire engine is going to be required, then one should be requested. Around some properties the towers are almost on the property that is not abnormal.

Chairperson Sullivan inquired about the public drainage. Director Huntley replied that all the properties are responsible for their drainage. Edison is required to maintain their properties and any drainage associated with their properties as well.

Chairperson Sullivan closed the public hearing.

Commissioner Brossy de Dios stated that he was initially concerned about the proposed changes and incremental modification of the General Plan, but after hearing further about the project and understanding the context of it, it seems that given that Encanto Walk now exist, this sliver of land between it and the Edison right-of-way is not an inappropriate use. He stated that he is still concerned particularly if they are going to higher density residential uses in a more remote area in the city, whether it is public services or providing transit. This is not a particularly walkable part of the city, but it is becoming better serviced with the new commercial developments within the area and given that the City seems to be heading towards providing greater transit services he is in better support of this request. The proximity to the power lines still bothers him. The main concern is to not create an adverse condition, but it sounds like the power lines are far enough away they do not provide an immediate hazard to an adjacent property.

Commissioner Choi stated that he does not think that it is inappropriate to change the zoning because more housing is needed in the city. However, the city needs new low-income housing. There are not that many vacant commercial parcels left in that area of the city. He stated that he would like to encourage commercial uses in that area for that corner of the city and encourage sales tax revenue and create jobs. All the services and retail will be a benefit to all the residents in the Encanto Walk development and the surrounding community. He stated that his priority is to enhance the quality of life for those in the existing neighborhood and adding the additional residences in the neighborhood may not be the best thing to do there at this point in time given all the commercial development and activities that are upcoming in that area of the city.

Commissioner Amador stated that her initial concern was the towers in relations to the new development, but the development does compliment Encanto Walk that is there now. She stated that her other concern, with the Market Place coming in and they have the small

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mom and pop stores right next to and on the other side the senior housing, is that they have the infrastructure in place to support the new development which will bring new residents and families. Perhaps the Commission can recommend to the City Council to look at the infrastructure since they are going through the budget process and look to see if there is a need because they do have Market Place which will be opening and they do have added residences that are fully developed, which is Encanto Walk. She stated that it is important to have proper infrastructure to support all the development that is going into that area and maybe look at how fast traffic is going.

Commissioner Robinson stated that he lives in the area and he would rather see an 8-unit condominium rather than a gas station on that corner. He would like to see a continuous flow of residential units from Encanto Walk to the subject property. A commercial use will bring more cars and more traffic. At one time he asked the Traffic Commission to look into adding a light and was told it would be problematic. There are funeral processions there in that area and on that street. Condominiums would not be a traffic concern.

Chairperson Sullivan stated that it is 8-units, but that area is going through growth. They are trying to figure out how to manage that growth so that residents in Monterey Park are happy. He stated that the city needs a partner to invest in the city.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **approved** the requested general plan amendment, zoning map change, and tentative map for 2011 Potrero Grande Drive.

Motion: Moved by Commissioner Robinson and seconded by Commissioner Brossy de Dios, motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, Amador, and Brossy de Dios
Noes: Commissioners: Choi
Absent: Commissioners: None
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

**4-A TENTATIVE MAP NO. 73622 (TM-15-04) TO ALLOW FOR A ONE LOT
SUBDIVISION INTO 9-LOTS IN THE R-1 (LOW DENSITY RESIDENTIAL) ZONE – 1585
SOMBRERO DRIVE**

Planner Tewasart provided a brief summary of the staff report.

Commissioner Brossy de Dios stated that the private street at the north end of the property seems to be passing through the adjacent property and inquired if the property owner has retained an easement. Planner Tewasart replied that the Applicant owns both properties. Commissioner Brossy de Dios inquired if that is addressed in the conditions and if not, it would be appropriate to add to the conditions.

Commissioner Robinson stated that he looked at the site and saw how a house was sitting on level land and that property looked like it would be the signature property for the other

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properties. With the geotechnical report before the Commission, it appears the land will be stable, although there will be a sharper incline than normal.

Chairperson Sullivan stated that the tentative tract map and sheet T-1 shows the garage sizes to be different square footages. Planner Tewasart replied that the tentative map shows graded buildable area and sheet T-1 shows square footage. Chairperson Sullivan inquired about the parking requirement. Planner Tewasart replied that the parking requirement is based on the number of bedrooms.

Chairperson Sullivan inquired about the conditions of approval on the first page, the second condition under Planning, and what 'subsequent modifications' mean. Director Huntley replied that 'subsequent modification' means any changes that come after the approval of the project. If the project is in substantial compliance it is fine. If there are substantial changes then it would have to come back to the Planning Commission. Chairperson Sullivan stated that the level of authority held by the Planning Division is such that it still fits within the main criteria of what is approved then it is fine, but if it steps outside of that then it has to be brought back to the Planning Commission. Director Huntley replied yes.

Chairperson Sullivan inquired about page two of conditions of approval number eight, who takes responsibility of the landscaping during construction. Planner Tewasart replied the property owner. Chairperson Sullivan inquired on page four of the conditions of approval numbers 29 and 30, if the conditions regarding street lighting and street improvements also applied to Campanita. Director Huntley replied it applied to the cul-de-sac and Sombrero, but Campanita can be added as well.

Commissioner Amador inquired about the mailboxes on Campanita and to consider the aesthetics. Director Huntley replied that staff can reach out to the postal office.

Chairperson Sullivan opened the public hearing.

Project Civil and Soils Engineer Hang Jong stated that the soils report is a preliminary report based on the current development plan and that soils report will be updated in the future because the seismic code has been continuously changing. At the time when they submit for building plan check the report will have to be updated to provide the new seismic code and any modifications of the development plan will have to be considered.

Chairperson Sullivan inquired on page 4 of 6 about the location of the construction trucks. Engineer Jong replied that during grading the trucks will be on Sombrero. The report states to prevent any heavy trucks and loading in the immediate vicinity of a cut for a slope in order to not damage a temporary cut or fill slope. Chairperson Sullivan inquired about the shoring during the construction. Engineer Jong replied that most of the slope will be stable under certain recommendations of the vertical cut and slope back with a one-to-one slope. Also, in some areas in the analysis shoring will be needed in order to stabilize the slope. In every section they analyzed the grading for every proposed lot. Shoring means using a structure member to stabilize the slope. The soils review is very thorough requiring them to analyze the grading operation of every lot. During and after construction the lots will be

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stable. Chairperson Sullivan stated that his main concern is not the part that they are building but how it affects the people below.

Chairperson Sullivan closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **approved** the requested tentative map for 1585 Sombrero Drive.

Motion: Moved by Commissioner Robinson and seconded by Commissioner Brossy de Dios with two amendments to the conditions of approval 1) the requirement that the property owner obtain and record appropriate easements for access to the property through adjacent property as indicated on the tentative map, and 2) modify condition number 30 to provide a street improvement plan for both Sombrero Drive and Campanita Court to the street centerline, motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, Amador, Choi, and Brossy de Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS: None

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 8:50 p.m.

Next regular scheduled meeting on May 8, 2018 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

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ATTACHMENT 3

July 10, 2018 Planning Commission regular meeting minutes

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
JULY 10, 2018**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, July 10, 2018 at 7:00 p.m.

CALL TO ORDER:

Chairperson Delario Robinson called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Delario Robinson, Eric Brossy De Dios, Theresa Amador, Ricky Choi, and Margaret Leung

Board Members Absent: None

ALSO PRESENT: Natalie Karpeles, Deputy City Attorney, Rey Alfonso, Assistant City Engineer, Vivian Chen, Associate Engineer, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

Anna Van with Climate Resolve, a non-profit organization that works on environmental issues and climate change, was present to promote an event on Saturday, July 14, 2018 at 8:00 a.m. at Whittier Narrows Park to index the different type trees at the park to help with future urban forestry efforts and restoration and how to keep the city cooler through methods such as tree canopies.

[1.] PRESENTATIONS: None

[2.] CONSENT CALENDAR: None

[3.] PUBLIC HEARING:

3-A EXEMPTION FROM THE PROVISIONS OF THE ZONING REGULATIONS IN THE MONTEREY PARK MUNICIPAL CODE (MPMC) TO ENCROACH INTO THE SIDE AND REAR-YARD SETBACKS AND TO EXCEED THE MAXIMUM LOT COVERAGE PERCENTAGE TO PROVIDE FOR THE CONSTRUCTION OF TWO SOLAR PARKING CANOPIES/CARPORTS IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE – 318 SOUTH RAMONA AVENUE

Assistant City Engineer Alfonso provided a brief summary of the staff report.

MISSION STATEMENT

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Chairperson Robinson stated that there will be four other sites and this is the only one that requires the exemptions.

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Commissioner Brossy de Dios inquired for clarification if the request is a front and rear setback and if any comments were received from the adjacent properties.

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Commissioner Brossy de Dios stated that is important to meet the requirement of conclusion A in the resolution stating that they have attempted to work within the perimeters of the zoning code elsewhere and were not able to do it. He inquired about the necessity to encroach into the front setback. The rear setback he can understand because of the fire lane. Other than desiring to cover the last two or three last parking stalls is there any compelling reason that the canopy needs to be in the front setback. Representative Sarkis replied that the goal is to meet a certain off-set through the negotiation with Cenergy Power and the City. The Library has a large utility bill and higher rate schedule, so to meet that offset those are the number of panels that are required to make sure they hit that production mark.

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Chairperson Robinson opened the public hearing.

Chairperson Robinson closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **approved** the requested exemptions.

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Choi, with modifications including 1) page 2, section 1, subsection D of the resolution, seventh line from the top of the page should read, "...will encroach 15 feet into the minimum 25-foot front setback;..." 2) page 2, section 1, subsection F, third line from the top of the paragraph should read, "...the minimum required 25-foot front setback and 5-foot rear setback," and 3) page 3 section 4, fifth line into the paragraph, would read, "...approves the 15-foot encroachment into the required front-yard setback;..." and the page numbers be corrected to match the number of pages 4 in total, motion carried by the following vote:

Ayes: Commissioners: Robinson, Amador, Choi, and Brossy de Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Leung

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS:

Commissioner Brossy de Dios stated that he will be on vacation the next meeting.

Commissioner Leung inquired about work occurring on Monterey Pass Road right by the Vagabond area. It seems South California Edison is adding additional height to the utility poles. Engineer Alfonso replied that he is not aware of any specific projects that Edison is

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undertaking there. They are actively replacing old wooden poles all around town and permits are issued frequently for them to do that. Commissioner Leung inquired if there was coordination between that and the proposed bike lane project that was approved for that area. Engineer Alfonso replied no.

Commissioner Leung inquired about the status of the bike lane project. Engineer Alfonso replied that they have not yet begun design. They are preparing a request for proposals for a consultant to provide the design for the project. They are also waiting the possibility that there may be additional funding available for that project. The I-710 Freeway tunnel project Metro elected not to fund that project, so there is funding that all the neighboring cities are vying for. The City has submitted a list of projects that would alleviate traffic that we see in Monterey Park and depending on how much money we are going to receive from Metro they would like to apply some of that to the Monterey Pass Road bike project. One of the improvements that they would like to include into the project is sidewalk improvements. It is all dependent on the amount of monies that we will receive from Metro at this point in time.

Commissioner Leung inquired about the South Garfield Village project where there is to be a gold line station going into that area and the timeline. Engineer Alfonso replied that a few years ago they saw proposals for the extension of the Metro gold line east and a proposed Metro station there adjacent to the freeway there on Garfield Avenue. The purpose of the improvements we see down on Garfield Avenue is to provide some connectivity to a possible future train station, but he is not aware of a specific timeline or whether it was even been approved.

Commissioner Leung inquired if a status can be provided at the next meeting since the City has already spent money beautifying that area. Engineer Alfonso replied that the long-term goal is to provide connectivity to a train station, but ahead of that, the improvements that have been made on South Garfield are intended to encourage economic development and we are seeing that a little bit now as more business owners are seeing the possibilities of opening businesses there. That is the immediate impacts of the improvements there, but long term would be to provide connection to a future possible gold line station.

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 7:50 p.m.

Next regular scheduled meeting on July 24, 2018 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

MISSION STATEMENT

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Planning Commission Staff Report

DATE: September 11, 2018

AGENDA ITEM NO: 2-B

TO: Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
BY: Samantha Tewasart, Senior Planner

SUBJECT: Consent – Request that the Planning Commission recommend that the City Council adopt a resolution that authorizes exemptions from the provisions of the zoning regulations in the Monterey Park Municipal Code (MPMC) to encroach into the side and rear-yard setbacks and to exceed the maximum lot coverage percentage to provide for the construction of two solar parking canopies/carports in the R-3 (High Density Residential) Zone – 318 South Ramona Avenue.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

1. Approving and adopting the revised Resolution which recommends that the City Council that authorizes exemptions to the minimum setback requirements and the maximum lot coverage percentage to provide for the installation of two solar parking canopies/carports at the Monterey Park Bruggemeyer Library located in the R-3 Zone; and
2. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The revisions to the resolution do not alter the fact that the project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines § 15303 (e) (New Construction or Conversion of Small Structures). The Class 3 exemption applies to the construction and location of limited numbers of new, small facilities or structures – including carports. The project consists of the construction and location of two solar parking canopies/carports over an existing parking-lot area that currently serves an existing two-story library. The project involves the installation of two solar parking canopies, the purposes of which are to provide clean energy and help reduce impacts on the environment; as such, the project will not have a significant, adverse or cumulative impact on the environment (due to any unusual circumstances, or otherwise), or create a hazard or generate hazardous materials. Additionally, there are no hazardous or critical environmental resources located within the vicinity of the parking-lot area, therefore, the project will not impact an environmental resource of hazardous or critical concern. Lastly, there are no scenic highways or historic resources

located within the vicinity of the project, therefore the project will not have significant adverse effects on resources within scenic highways or on historic resources in general. Staff reviewed the proposed project and did not find any evidence that special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15303.

EXECUTIVE SUMMARY:


On July 10, 2018, the Planning Commission opened the public hearing, took public testimony, and closed the public hearing for the requested exemptions. At the meeting, the Planning Commission approved the requested exemptions, subject to the amended conditions of approval in the draft resolution. The amended conditions are reflected in the Planning Commission Minutes for the meeting of July 10, 2018 and are attached for reference.

The draft resolution is brought back to the Planning Commission for confirmation that the amended conditions of approval are accurately documented in the resolution. Since evidence was already received during the public hearing on July 10, 2018, the Planning Commission may simply adopt the attached resolution. No additional evidence is required. A copy of the staff report from the July 10, 2018 meeting is included for reference.


Respectfully submitted,


Michael A. Huntley
Community and Economic
Development Director

Prepared by:


Samantha Tewasart
Senior Planner

Reviewed by:


Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Planning Commission Unofficial Minutes, dated July 10, 2018
- Attachment 3: Planning Commission Staff Report, dated July 10, 2018

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE EXEMPTIONS TO SETBACKS AND LOT COVERAGE PERCENTAGE AT THE MONTEREY PARK BRUGGEMEYER LIBRARY IN THE R-3 ZONE

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds as follows:

- A. In 2012, the City Council adopted the Climate Action Plan; two years later, it adopted the Sustainable Community Element in 2014. Both documents promote the utilization of renewable energy systems in order to maintain and improve the quality of life for the City and specifically propose the installation of solar panels in new and existing developments.
- B. On September 7, 2016, City Council approved an Agreement with Cenergy Power for solar photovoltaic generation system at four City facilities: City Hall, Bruggemeyer Library, Langley Senior Center and Delta Water Facility. Specifically, the City Council found that the power generated by solar photovoltaic generation systems would reduce the City's costs and dependency upon fossil fuels, provide clean energy, and help reduce impacts on the environment.
- C. Cenergy Power proposes to install two solar parking canopies/carports at the Monterey Park Bruggemeyer Library (the "Proposal"). The proposed canopies/carports will not only provide clean energy for City Hall, Bruggemeyer Library, Langley Senior Center and Delta Water Facility, they will also serve as shade structures for the existing parking spaces at the Library. The proposed canopies/carports will be no more than 14 feet tall and are comparable to other detached accessory structures common in the City's residential zones (e.g, garages, carports, canopies, and trash enclosures). The two-story Library property is currently completely built-out; therefore, potential locations for the proposed solar parking canopies are limited to the driveway areas, the parking stalls abutting the Library itself and two existing parking lots adjacent to the Library building. Cenergy proposes to install solar parking canopies above the existing parking areas located horizontally along the north of the property (parallel to West Newmark) and vertically along the east of the property due to safety restrictions which preclude installation above either the driveway or abutting parking stalls (namely, obstruction of a necessary fire lane, as well as impediments to SCE's underground service).
- D. The Bruggemeyer Library is located in the R-3 zone and subject to the zoning regulations of the Monterey Park Municipal Code (specifically, MPMC Title

21). Pursuant to MPMC § 21.08.080, structures within the R-3 zone are required to have a front-yard setback of at least 25 feet and a rear-yard setback of at least 5 feet; additionally, lot coverage in the R-3 zone cannot exceed 35 percent (see MPMC § 21.08.080). The proposed solar parking canopies for the Bruggemeyer Library will be installed above the existing parking-lot area and located horizontally along the north of the property (parallel to West Newmark) and vertically along the east of the property and will encroach 15 feet into the minimum 25-foot front setback; provide no rear setback); and increase the lot coverage to 66 percent.

- E. The Bruggemeyer Library is a government facility established by the City to provide a direct service to the public. (See MPMC §§ 2.80.010, *et seq.*, and 21.04.437.) MPMC § 21.02.200 exempts government facilities from the MPMC's zoning regulations when certain findings are made.
- F. Cenergy Power is seeking to exempt the Proposal from certain MPMC zoning regulations, pursuant to MPMC § 21.02.200, in order to encroach into the minimum required 25-foot front setback and 5-foot rear setback and to exceed the maximum 35 percent lot coverage for the purpose of constructing two solar parking canopies over an existing parking-lot area, one along the north of the property (parallel to West Newmark) and one vertically along the eastern portion of the Bruggemeyer Library property.
- G. The Proposal is not located in the vicinity of any hazardous or critical environmental resources, scenic highways or historic resources.

SECTION 2: Conclusions. Pursuant to MPMC § 21.04.437, the Planning Commission concludes that the following circumstances exist:

- A. Reasonable attempts have been made to comply with the City's zoning regulations. The two-story Library property is currently completely built-out; therefore, potential locations for the proposed solar parking canopies are limited to the driveway areas, the parking stalls abutting the Library itself and two existing parking lots adjacent to the Library building. While other locations exist for the installation of the proposed solar parking canopies – which may adhere more closely to the City's zoning regulations – these locations are not feasible due to safety considerations. Specifically, installation of solar parking canopies above the driveway and abutting parking stalls would obstruct a necessary fire lane and impede SCE's underground service. In order to provide for solar parking canopies at the Bruggemeyer Library, installation must take place above the existing parking areas located horizontally along the north of the property (parallel to West Newmark) and vertically along the east of the property.
- B. A strict and literal interpretation and enforcement of the Zoning Code would inhibit the City's ability to maintain public health, safety and general welfare in this particular instance. As indicated in A, above, strict compliance with

the Zoning Code would result in the installation of solar parking canopies in locations which would encroach into the fire lane and/or impede an undergrounding service; the locations currently proposed by Cenergy Power are the safest for the solar parking canopies to be installed at the Bruggemeyer Library location. Furthermore, the City Council adopted the 2012 Climate Action Plan and the 2014 Sustainable Community Element; both of which promote the utilization of renewable energy systems in order to maintain and improve the quality of life for the community and specifically propose the installation of solar panels in new and existing developments. Additionally, the City Council found that the power generated by solar photovoltaic generation systems would reduce the City's costs and dependency upon fossil fuels, provide clean energy, and help reduce impacts on the environment.

- C. Granting the exemption will neither be detrimental to the public health, safety, and general welfare, nor be materially injurious to properties or improvements in the vicinity. As indicated in A, above, the locations proposed are the safest places for the solar parking canopies to be installed at the Bruggemeyer Library location. Additionally, the City Council adopted the 2012 Climate Action Plan and the 2014 Sustainable Community Element; both of which promote the utilization of renewable energy systems in order to maintain and improve the quality of life for City residents and specifically propose the installation of solar panels in new and existing developments. Additionally, the City Council found that the power generated by solar photovoltaic generation systems would reduce the City's costs and dependency upon fossil fuels, provide clean energy, and help reduce impacts on the environment. Lastly, the proposed canopies/carports will be no more than 14 feet tall and are comparable to other detached accessory structures common in the City's residential zones (e.g, garages, carports, canopies, and trash enclosures).

SECTION 3: California Environmental Quality Act. The project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines § 15303 (e) (New Construction or Conversion of Small Structures). The Class 3 exemption applies to the construction and location of limited numbers of new, small facilities or structures – including carports. The project consists of the construction and location of two solar parking canopies/carports over an existing parking-lot area that currently serves an existing two-story library. The project involves the installation of two solar parking canopies, the purposes of which are to provide clean energy and help reduce impacts on the environment; as such, the project will not have a significant adverse or cumulative impact on the environment (due to any unusual circumstances, or otherwise), or create a hazard or generate hazardous materials. Additionally, there are no hazardous or critical environmental resources located within the vicinity of the parking-lot area. Therefore, the project will not impact an environmental resource of hazardous or critical concern. Lastly, there are no scenic highways or historic resources located within the vicinity of the project, therefore the project will not have significant adverse effects on resources within scenic highways or on historic resources,

in general. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15303.

SECTION 4: Determination. The Planning Commission determines that the Proposal relates to the modification of a government facility and, based upon the conclusions set forth in Section 2 (pursuant to MPMC § 21.04.437), is exempt from the requirements of the Zoning Code as it relates to the Proposal. The Planning Commission thereby recommends that the City Council approves the 15-foot encroachment into the front-yard setback; the elimination of the rear-yard setback; and the increase in lot coverage to 66 percent for the purposes of installing two solar parking canopies at the Bruggemeyer Library.

SECTION 5: Effective Date. This resolution becomes effective immediately upon adoption.

APPROVED, AND ADOPTED this 11th day of September, 2018.

Chairperson Delario Robinson


I certify that the foregoing Resolution was duly and regularly adopted by the Planning Commission of the City of Monterey Park at a meeting held on the 11th day of September 2018, by the following vote of the Planning Commission:

Ayes:
Naes:
Absent:
Abstain:

Michael A. Huntley, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____


Natalie C. Karpeles,
Deputy City Attorney

ATTACHMENT 2

Planning Commission Unofficial minutes, dated July 10, 2018

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
JULY 10, 2018**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, July 10, 2018 at 7:00 p.m.

CALL TO ORDER:

Chairperson Delario Robinson called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Delario Robinson, Eric Brossy De Dios, Theresa Amador, Ricky Choi, and Margaret Leung

Board Members Absent: None

ALSO PRESENT: Natalie Karpeles, Deputy City Attorney, Rey Alfonso, Assistant City Engineer, Vivian Chen, Associate Engineer, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

Anna Van with Climate Resolve, a non-profit organization that works on environmental issues and climate change, was present to promote an event on Saturday, July 14, 2018 at 8:00 a.m. at Whittier Narrows Park to index the different type trees at the park to help with future urban forestry efforts and restoration and how to keep the city cooler through methods such as tree canopies.

[1.] PRESENTATIONS: None

[2.] CONSENT CALENDAR: None

[3.] PUBLIC HEARING:

3-A EXEMPTION FROM THE PROVISIONS OF THE ZONING REGULATIONS IN THE MONTEREY PARK MUNICIPAL CODE (MPMC) TO ENCROACH INTO THE SIDE AND REAR-YARD SETBACKS AND TO EXCEED THE MAXIMUM LOT COVERAGE PERCENTAGE TO PROVIDE FOR THE CONSTRUCTION OF TWO SOLAR PARKING CANOPIES/CARPORTS IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE – 318 SOUTH RAMONA AVENUE

Assistant City Engineer Alfonso provided a brief summary of the staff report.

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Chairperson Robinson opened the public hearing.

Chairperson Robinson closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **approved** the requested exemptions.

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Choi, with modifications including 1) page 2, section 1, subsection D of the resolution, seventh line from the top of the page should read, "...will encroach 15 feet into the minimum 25-foot front setback;..." 2) page 2, section 1, subsection F, third line from the top of the paragraph should read, "...the minimum required 25-foot front setback and 5-foot rear setback," and 3) page 3 section 4, fifth line into the paragraph, would read, "...approves the 15-foot encroachment into the required front-yard setback;..." and the page numbers be corrected to match the number of pages 4 in total, motion carried by the following vote:

Ayes: Commissioners: Robinson, Amador, Choi, and Brossy de Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Leung

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS:

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undertaking there. They are actively replacing old wooden poles all around town and permits are issued frequently for them to do that. Commissioner Leung inquired if there was coordination between that and the proposed bike lane project that was approved for that area. Engineer Alfonso replied no.

Commissioner Leung inquired about the status of the bike lane project. Engineer Alfonso replied that they have not yet begun design. They are preparing a request for proposals for a consultant to provide the design for the project. They are also waiting the possibility that there may be additional funding available for that project. The I-710 Freeway tunnel project Metro elected not to fund that project, so there is funding that all the neighboring cities are vying for. The City has submitted a list of projects that would alleviate traffic that we see in Monterey Park and depending on how much money we are going to receive from Metro they would like to apply some of that to the Monterey Pass Road bike project. One of the improvements that they would like to include into the project is sidewalk improvements. It is all dependent on the amount of monies that we will receive from Metro at this point in time.

Commissioner Leung inquired about the South Garfield Village project where there is to be a gold line station going into that area and the timeline. Engineer Alfonso replied that a few years ago they saw proposals for the extension of the Metro gold line east and a proposed Metro station there adjacent to the freeway there on Garfield Avenue. The purpose of the improvements we see down on Garfield Avenue is to provide some connectivity to a possible future train station, but he is not aware of a specific timeline or whether it was even been approved.

Commissioner Leung inquired if a status can be provided at the next meeting since the City has already spent money beautifying that area. Engineer Alfonso replied that the long-term goal is to provide connectivity to a train station, but ahead of that, the improvements that have been made on South Garfield are intended to encourage economic development and we are seeing that a little bit now as more business owners are seeing the possibilities of opening businesses there. That is the immediate impacts of the improvements there, but long term would be to provide connection to a future possible gold line station.

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 7:50 p.m.

Next regular scheduled meeting on July 24, 2018 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

ATTACHMENT 3

Planning Commission Staff Report, dated July 10, 2018



Planning Commission Staff Report

DATE: July 10, 2018

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer
SUBJECT: Exemption from the provisions of the zoning regulations in the Monterey Park Municipal Code (MPMC) to encroach into the side and rear-yard setbacks and to exceed the maximum lot coverage percentage to provide for the construction of two solar parking canopies/carports in the R-3 (High Density Residential) Zone – 318 South Ramona Avenue

RECOMMENDATION:

It is recommended that the Planning Commission consider:

1. Adopting the Resolution that approves exemptions to the minimum setback requirements and the maximum lot coverage percentage to provide for the installation of two solar parking canopies/carports at the Monterey Park Bruggemeyer Library located in the R-3 Zone; and
2. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines § 15303 (e) (New Construction or Conversion of Small Structures). The Class 3 exemption applies to the construction and location of limited numbers of new, small facilities or structures – including carports. The project consists of the construction and location of two solar parking canopies/carports over an existing parking-lot area that currently serves an existing two-story library. The project involves the installation of two solar parking canopies, the purposes of which are to provide clean energy and help reduce impacts on the environment; as such, the project will not have a significant, adverse or cumulative impact on the environment (due to any unusual circumstances, or otherwise), or create a hazard or generate hazardous materials. Additionally, there are no hazardous or critical environmental resources located within the vicinity of the parking-lot area, therefore, the project will not impact an environmental resource of hazardous or critical concern. Lastly, there are no scenic highways or historic resources located within the vicinity of the project, therefore the project will not have significant adverse effects on resources within scenic highways or on historic resources in general. Staff reviewed the proposed project and did not find any evidence that special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore,

the proposed Project qualifies for the exemption under CEQA Guidelines Section 15303.

EXECUTIVE SUMMARY:

On September 7, 2016, City Council authorized the City Manager to execute an Agreement with Cenergy Power for solar photovoltaic generation systems at four City facilities: City Hall, Bruggemeyer Library, Langley Senior Center, and the Delta Water Facility.

The agreement is a Power Purchase Agreement (PPA) that provides for a private energy company to construct, own, operate and maintain solar photovoltaic generation systems on City property while the City purchases the system's electric output at a predetermined rate and period: in this case \$0.136 per kWh for a period of 25 years.

Cenergy Power is proposing to install two solar parking canopies/carports at the Bruggemeyer Library. Construction of the solar parking canopies is subject to the zoning regulations in the MPMC as they relate to the R-3 zone; however, the location of the proposed solar parking canopies will exceed lot coverage and setback requirements. For these reasons, Cenergy Power is requesting that the Planning Commission consider exempting the project from certain zoning requirements of MPMC, pursuant to MPMC § 21.04.43.

Property Description

The Library is located at 318 S. Ramona Ave, one lot south of W. Newmark Avenue. To the north is Telacu Monterey Park Plaza (senior housing development), to the west is the Civic Center, to the south is the Boy's and Girl's Club, and to the east is Sheppard of the Hill Church. The property is zoned R-3 (High Density Residential) and designated P-F (Public Facility) in the General Plan.

The Library lot is approximately 79,487 square feet with the existing building covering 51% of the lot area. The first floor of the Library is 29,567 square feet and the attached parking structure at the rear is 10,907 square feet. The remainder of the property is utilized for at-grade parking and landscaping purposes.

Project Description:

Upon review of the plans for the solar parking canopies at the Library, the Planning Division determined that there will be setback encroachments and that the lot coverage percentage will exceed the maximum allowed for the zone.

Cenergy is requesting approval for an exemption from certain MPMC zoning provisions in order to encroach into the minimum required 5-foot side setback and 25-foot rear setback, and to exceed the maximum 35 percent lot coverage, for the construction of the solar parking canopies.

The proposed solar parking canopies at the Library will encroach 2 feet into the minimum required 5-foot side setback and provide no rear setback (instead of the minimum required 25-feet for an R-3-zoned property).

Additionally, installation of the solar parking canopies will increase the lot coverage percentage to 66 percent. The total square footage of the two solar parking canopy structures will be 12,219 square feet, which will increase the lot coverage percentage from 51 percent to 66 percent. According to MPMC § 21.08.080, a lot that is 10,000 square feet or greater in the R-3 zone is allowed a maximum lot coverage of 35 percent of the lot. The requested exemption will allow the maximum lot coverage percentage to increase by 31 percent. It should be noted that the lot coverage currently exceeds the maximum by 16 percent (51 percent – 35 percent). The Bruggemeyer Library was constructed in 1929 and the existing lot coverage is legal nonconforming.

The Bruggemeyer Library is a government facility established by the City to provide a direct service to the public. (See MPMC §§ 2.80.010, *et seq.*, and 21.04.437.) According to MPMC § 21.02.200, government facilities may be exempt from the provisions of the City's zoning regulations provided that the project meets certain criteria:

- A. *That reasonable attempts have been made to comply with the zoning regulations contained in the MPMC;*

The two-story Library property is currently completely built-out; therefore, potential locations for the proposed solar parking canopies are limited to the driveway areas, the parking stalls abutting the Library itself and two existing parking lots adjacent to the Library building. While other locations exist for the installation of the proposed solar parking canopies – which may adhere more closely to the City's zoning regulations – these locations are not feasible due to safety considerations. Specifically, installation of solar parking canopies above the driveway and abutting parking stalls would obstruct a necessary fire lane and impede SCE's underground service. In order to provide for solar parking canopies at the Bruggemeyer Library, installation must take place above the existing parking areas located horizontally along the north of the property (parallel to West Newmark) and vertically along the east of the property.

- B. *That the strict and literal interpretation and enforcement of the zoning regulations in the MPMC would inhibit the City's ability to maintain public health, safety, and general welfare in the particular instance; and*

The strict and literal interpretation and enforcement of the Zoning Code would inhibit the City's ability to maintain public health, safety and general welfare in this particular instance. As indicated above, strict compliance with the Zoning Code would result in the installation of the solar parking canopies in locations which would encroach onto the fire lane and/or impede an undergrounding service connected to a transformer which services the Library. The currently proposed locations are the safest places for the solar parking canopies to be installed. Furthermore, the City

Council previously approved moving forward with the solar canopies, finding that the power generated by these facilities will reduce the City's costs and dependency upon fossil fuels. Additionally, the City Council adopted the Climate Action Plan in 2012 and the Sustainable Community Element in 2014 that promote renewable energy systems in order to maintain and improve the quality of life for the community. These plans specifically propose the installation of solar panels in new and existing developments.

- C. *That granting of the exemption will not be detrimental to the public health, safety, and general welfare or materially injurious to properties or improvements in the vicinity.*

Granting the exemption will neither be detrimental to the public health, safety, and general welfare, nor be materially injurious to properties or improvements in the vicinity. An existing 6-foot tall perimeter block wall separates the proposed solar canopies/carports from the two-story senior housing development to the north and two-story church to the south. As indicated in A, above, the locations proposed are the safest places for the solar parking canopies to be installed at the Bruggemeyer Library location. Additionally, the City Council adopted the 2012 Climate Action Plan and the 2014 Sustainable Community Element; both of which promote the utilization of renewable energy systems in order to maintain and improve the quality of life for the City and specifically propose the installation of solar panels in new and existing developments. Specifically, the City Council found that the power generated by solar photovoltaic generation systems would reduce the City's costs and dependency upon fossil fuels, provide clean energy, and help reduce impacts on the environment. Lastly, the locations of the proposed canopies/carports are existing parking space areas that currently serve the existing public library. The canopies/carports will serve as shade structures for the existing parking spaces as well as provide clean energy. The proposed canopies/carports will be 14 feet tall at maximum, which is one-foot less than a standard one-story, 15 feet tall accessory structure. Detached accessory structures such as garages, carports, canopies, and trash enclosures are common in the residential areas.

Staff is requesting the Planning Commission's consideration of the requested exemptions prior to making recommendations to the City Council for their approval.

Legal Notification

The legal notice of this meeting was published in the *Wave* on June 28, 2018. The legal notice was also mailed to the adjacent properties.

ALTERNATIVE COMMISSION CONSIDERATIONS:


None.

FISCAL IMPACT:

Approving the Amendment to the Agreement with Cenergy Power will reduce the City's projected cost savings for the 25-year contract period from \$5.2M to \$4.3M. The cost savings will reduce electricity costs for four city facilities: City Hall, Bruggemeyer Library, Langley Senior Center and Delta Water Facility.

There is no fiscal impact to the exemption from the provisions of MPMC to encroach into the minimum required 5-foot side setback and 25-foot rear setback and to exceed the maximum 35 percent lot coverage for the construction of solar canopies at the Library.

Respectfully submitted by:



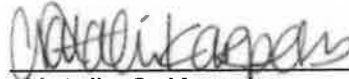
Mark A. McAvoy
Director of Public Works/
City Engineer

Prepared by:



Amy Ho
Principal Management Analyst

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

ATTACHMENTS:

1. Site Floor and Elevation Plans
2. Draft Resolution